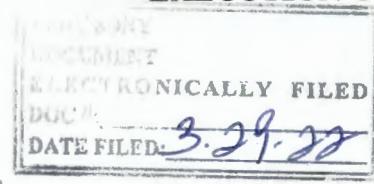


EXECUTION COPY



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION OF THE
KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to case no. 18-cv-09552.

MASTER DOCKET

18-md-2865 (LAK)

[PROPOSED] CONSENT JUDGMENT

WHEREAS, on June 14, 2018, plaintiff Skatteforvaltningen (“SKAT”) commenced this action against defendants MSJJ Retirement Group Trust (“MSJJ”), Bluegrass Investment Management, LLC (“BGIM”), Bernard Tew, and George Hofmeister, and on April 24, 2020, SKAT filed an amended complaint against the defendants (the foregoing collectively hereinafter referred to as the “Action”);

WHEREAS, SKAT and defendant BGIM now wish to resolve all the claims SKAT asserted in the Action against BGIM;

NOW THEREFORE, without trial or adjudication of issue of fact or law, and upon defendant BGIM’s consent, the Court finds that there is good and sufficient cause to enter this Consent Judgment, and that IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT:

1. This Consent Judgment is hereby entered in favor of plaintiff SKAT against defendant BGIM in the amount of \$350,000 (US); and
2. Defendant BGIM shall be liable to pay the amount set forth in paragraph 1.
3. Each party shall bear its own attorneys’ fees and costs.

EXECUTION COPY

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Consent Judgment.

Dated: New York, New York

June 7, 2021

By: 

HUGHES HUBBARD & REED LLP
Marc A. Weinstein
Neil J. Oxford
Dustin P. Smith
One Battery Park Plaza
New York, New York 10004-1482
Telephone: (212) 837-6000
Fax: (212) 422-4726
marc.weinstein@hugheshubbard.com
neil.oxford@hugheshubbard.com
dustin.smith@hugheshubbard.com

*Counsel for Plaintiff Skatteforvaltningen
(Customs and Tax Administration of the
Kingdom of Denmark)*

By: _____

SEWARD & KISSEL LLP
Mark J. Hyland
Thomas Ross Hooper
One Battery Park Plaza
New York, New York 10004
Tel: (212) 574-1200
Fax: (212) 480-8421
hyland@sewkis.com
hooper@sewkis.com

*Counsel for Bluegrass Investment
Management, LLC*

SO ORDERED:

Lewis A. Kaplan
United States District Judge

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Consent Judgment.

Dated: New York, New York

June 7, 2021

By: _____

HUGHES HUBBARD & REED LLP
Marc A. Weinstein
Neil J. Oxford
Dustin P. Smith
One Battery Park Plaza
New York, New York 10004-1482
Telephone: (212) 837-6000
Fax: (212) 422-4726
marc.weinstein@hugheshubbard.com
neil.oxford@hugheshubbard.com
dustin.smith@hugheshubbard.com

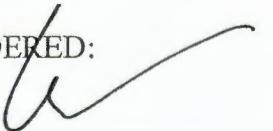
*Counsel for Plaintiff Skatteforvaltningen
(Customs and Tax Administration of the
Kingdom of Denmark)*

By: Mark J. Hyland

SEWARD & KISSEL LLP
Mark J. Hyland
Thomas Ross Hooper
One Battery Park Plaza
New York, New York 10004
Tel: (212) 574-1200
Fax: (212) 480-8421
hyland@sewkis.com
hooper@sewkis.com

*Counsel for Bluegrass Investment
Management, LLC*

SO ORDERED:


Lewis A. Kaplan
United States District Judge

